



# GRAE & GRAE LLC

The Law Firm

## MEMO ENDORSED

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**APPLICATION GRANTED:** The telephonic Pre-motion Conference scheduled for Tuesday, November 26, 2024 at 2:30 p.m. is hereby rescheduled to Tuesday, January 14, 2025 at 12:00 p.m. The parties are directed to call Judge Parker's teleconference line at the scheduled time. Please dial (646) 453-4442, ID: 516 600 825#.

APPLICATION GRANTED

*Katharine H. Parker*

Hon. Katharine H. Parker, U.S.M.J.

November 19, 2024

11/19/2024

Previn A. Waran

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### VIA CM/ECF

The Hon. Katharine H. Parker, U.S.M.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 750  
New York, New York 10007

**Re: Smith v. Akela Contracting LLC et al.** – Civil Action No.: 1:22-cv-01185-VSB-KHP

Dear Judge Parker:

Our offices are counsel to defendants/third-party plaintiffs, Akela Contracting LLC (“Akela”), Akela Contracting/Civetta Cousins JV, Joint Venture, LLC (the “JV”, and, together with Akela, the “Akela Defendants”), and Karine Williams (“Williams, and, together with the Akela Defendants, the “Third-Party Plaintiffs”), in connection with the above-referenced action. We write, in accordance with Rules I(b) and (c) of Your Honor’s Individual Practices in Civil Cases, and with the consent of counsel for third-party defendant, The City of New York (the “City”), to respectfully request that the Local Civil Rule 37.2 pre-motion discovery conference that the Court, in its Order entered earlier today at ECF No. 164, has scheduled for Tuesday, November 26, 2024, at 2:30 p.m., be adjourned to any of the following dates that are mutually convenient for counsel for Third-Party Plaintiffs and the City, or, alternatively, the next date thereafter that is convenient for the Court: December 9, 10, 13, 18, and/or 19, 2024.

As and for good cause for the relief requested herein, the undersigned, who is the partner of his law offices responsible for this matter, and the only attorney capable of handling the appearance, will be out of the office throughout the afternoon of November 26, 2024, in order to attend to a family-related matter that, regrettably, cannot be rescheduled. Accordingly, the relief requested herein will ensure his ability to appear and meaningfully address, on behalf of Third-Party Plaintiffs, the City’s request for leave to move this Court, pursuant to FED. R. CIV. P. 26(c), for a stay of all discovery pending the Court’s adjudication of the City’s presently pending motion to dismiss the Third-Party Complaint in its entirety. As noted above, the City’s counsel has graciously consented to the relief requested herein. Finally, this is Third-Party Plaintiffs’ first

request for the relief sought herein, which will have no impact on any other deadlines in this action, all of which have been adjourned *sine die* per the Court's order dated June 21, 2024. *See* ECF No. 158.

On behalf of Third-Party Plaintiffs, the undersigned thanks the Court for its time and consideration of the herein request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Waran', with a stylized flourish at the end.

Previn A. Waran, Esq.

cc: All Counsel of Record (*Via ECF*)